



AGENDA

Special Council Meeting

10th August 2022

Notice of Meeting

A Special Council Meeting for the Shire of Yalgoo has been called for Wednesday 10th August 2022 in the Council Chambers, 37 Gibbons Street, Yalgoo starting at 5pm.



Ian Holland

CHIEF EXECUTIVE OFFICER

9th August 2022

Disclaimer:

The Shire of Yalgoo gives notice to members of the public that any decisions made at the meeting, can be revoked, pursuant to the Local Government Act 1995. Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Contents

1	DECLARATION OF OPENING	3
2	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	3
3	DISCLOSURE OF INTERESTS.....	3
4	PUBLIC QUESTION TIME	3
5	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	3
6	NOTICE OF MATTERS TO BE DISCUSSED BEHIND CLOSED DOORS.....	3
7	APPLICATIONS FOR LEAVE OF ABSENCE	3
8	BUSINESS AS NOTIFIED.....	4
8.1	Differential Rating and Minimums application to the Minister 2022-23...	4

1 DECLARATION OF OPENING

The Shire President welcomed those in attendance and declared the meeting open at _____.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

APOLOGIES

LEAVE OF ABSENCE

3 DISCLOSURE OF INTERESTS

Councillors and Officers are reminded of the requirements of s5.65 of the Local Government Act 1995, to verbally disclose any interest during the meeting before the matter is discussed or to provide in writing the nature of the interest to the CEO before the meeting.

4 PUBLIC QUESTION TIME

REPONSES TO QUESTIONS TAKEN ON NOTICE

QUESTIONS TAKEN WITHOUT NOTICE

5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

6 NOTICE OF MATTERS TO BE DISCUSSED BEHIND CLOSED DOORS

7 APPLICATIONS FOR LEAVE OF ABSENCE

8 BUSINESS AS NOTIFIED

Purpose of Meeting – To consider for adoption

- Differential Rating 2022-23

8.1 Differential Rating and Minimums application to the Minister 2022-23

Applicant:	Shire of Yalgoo
Author:	Ian Holland
Interest Declared:	No interest to disclose
Date:	9 August 2022
Attachments:	Nil

Matter for Consideration

That Council give consideration to applying to the Minister for Local Government to impose the previously proposed differential rates and minimums.

Background

Council is in the process of preparing the 2022-23 Annual Budget.

Statutory Environment

Local Government Act 1995

- s.6.32 – States that a local government, in order to make up the budget deficiency, is to impose a general rate on rateable land that may be imposed uniformly or differentially.
- s.6.33(1) – Provides that a local government may impose differential general rates according to a number of characteristics.
- s.6.33(3) – States that a local government cannot, without the approval of the Minister, impose a differential general rate that is more than twice the lowest differential general rate imposed.
- s.6.34 – States that a local government cannot without the approval of the Minister raise an amount of general rates that exceeds 110% of the budget deficiency or is less than 90% of the budget deficiency.
- s.6.35 – States a local government may impose a minimum rate that is greater than the general rate that would be applied for the land and outlines the requirements for this minimum rate.
- s.6.36 – Requires that a local government before imposing any differential general rates provides at least 21 days local public notice of its intention to do so.

Strategic Implications

The Local Government is to ensure that it raises enough rates to generate the revenue required to fund its operating and capital expenditure commitments.

Rates Revenue as per the Long Term Financial Plan for the 2022-2023 financial year is estimated at \$2,721,552 based on a 5.00% increase over the previous year.

Comment

If a Local Government has a differential rate that is more than twice the lowest differential rate imposed, approval from the Minister for Local Government must be obtained before the rates are formally adopted by Council.

At the Special Meeting held on the 15th July 2022 Council considered the Draft Budget and the necessity to again request the Minister for Local Government's approval to impose differential rates.

As per the resolutions of that meeting the proposed differential rates were advertised as below and ratepayers in respective categories were directly provided with departmental paperwork along with a notice and a copy of the rating methodology.

COUNCIL RESOLUTION 0702 - 22

Moved: Cr Raul Valenzuela Seconded: Cr Stan Willock

That Council:

1. Advertise the intention to impose the following differential general rates and minimum payments applying to each of the differential rate categories in accordance with Section 6.36 of the Local Government Act 1995 be placed in the West Australian newspaper and the Bulldust.

Differential General Rate	Rate in the \$
GRV – Townsite Improved	0.07831840
GRV – Townsite Vacant	0.07831840
GRV – Mining Infrastructure	0.29750000
UV – Pastoral / Rural	0.06907870
UV – Mining / Mining Tenement	0.32000000
UV – Exploration / Prospecting	0.19882530

Minimum Payment	Minimum \$
GRV – Townsite Improved	290
GRV – Townsite Vacant	290
UV – Pastoral / Rural	290
UV – Mining / Mining Tenement	290
UV – Exploration / Prospecting	290

2. That the advertisement in (1) above also provide for an invitation for submissions to be made by an elector or a ratepayer for a period of 21 days closing at 4:00 pm on Monday the 8th August 2022 and detail the time and place where the Shire of Yalgoo Rating Methodology and it's Differential Rating Model may be inspected and a copy be placed on the Shire's website.

3. That all rural/pastoral ratepayers, Mining GRV ratepayers and Townsite Vacant ratepayers (categories with fewer than 30 ratepayers) be provided with a copy of the Shire of Yalgoo Rating Methodology – Objects and Reasons, the Department of Local Government Rating Policy: Differential General Rates, the differential general rate that will apply with a comparison to the previous year and an invitation to make submissions by the due date in (2).

4. That Council adopts the attached Objects and Reasons for the following differential rating categories;

Town Improved- consists of properties located within the townsite boundaries with a predominate residential, commercial and industrial use. This category is considered by council

to be the base rate by which all other GRV properties are assessed and have a different demand and requirement on shire services and infrastructure.

- Townsite Vacant – Consists of vacant properties located within the townsite boundaries that are vacant (no residential commercial or industrial structures built on the land) The rate in the dollar and minimum is the same as the Town Improved category.
- Mining Infrastructure - Consists of particular improvements such as accommodation, recreation and administrative facilities, associated buildings and maintenance workshops that are erected permanently. The object of the GRV rates associated with mining is to ensure that mining operators contribute to the maintenance of the Shire's assets and services to the extent that they use them and form a sector of ratepayers that essentially are transitory
- Pastoral/Rural- this rating applies to all pastoral leases and land with a predominate rural land use. The proposed rate is comparatively lower when compared to the mining/mining tenement and exploration / prospecting categories on the basis that the pastoral industry has minimum impact or requirement on the shire services and infrastructure.
- Mining/ Mining Tenement- this category applies to all mining leases located within the shire. The proposed rate is comparatively higher when compared to the pastoral/rural category on the basis that mining operations require additional ongoing maintenance of the roads network that services this land use along with additional costs associated with the administration of mining tenements.
- Exploration / Prospecting – This rating category applies to exploration, prospecting and other general purpose leases located within the shire. The proposed rate is comparatively higher when compared to the pastoral/rural category and lower than the mining tenement category on the basis that the mining operations require additional and ongoing maintenance of the road network that services the land use, the additional cost associated with the administration of exploration and prospecting leases and the shire wishes to encourage exploration.

CARRIED 5/0

SHIRE OF YALGOO RATES MODELLING FOR 2022-23

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2021-22 Actuals Total Revenue \$
Differential General Rate				
GRV Town sites Improved	0.07831840	31	250,155	19,592
GRV Town sites Improved / Vacant	0.07831840	0	0	0
GRV Mining Infrastructure	0.29750000	6	2,461,000	732,148
UV Pastoral / Rural	0.06907870	21	855,721	59,112
UV Mining / Mining Tenements	0.32000000	119	4,356,330	1,394,026
UV Exploration and Prospecting	0.19882530	198	832,684	165,559
Sub-Totals		370	8,755,890	2,370,436
Minimum Payment	Minimum \$			
GRV Town sites Improved	290	5	20,459	1,450
GRV Town sites Improved / Vacant	290	10	1,240	2,900
UV Pastoral / Rural	290	12	16,676	3,480
UV Mining / Mining Tenements	290	40	31,545	11,600
UV Exploration and Prospecting	290	88	66,288	25,520
Sub-Totals		155	136,188	44,950
Discounts		525	8,892,078	0
Total Amount Raised from General Rate				2,415,386
Interim Rating (Objections received for mining infrastructure resulting in reduction in valuations and withdrawal of tenements)				29,989
Specified Area Rates				0
Total Rates				2,445,375

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2021-22 Budgeted Total Revenue \$	2021-22 % TO TOTAL RATES LEVIED	2022-23 % TO TOTAL RATES LEVIED	DECREASE/INCREASE RATES LEVIED	% MOVEMENT	NATURAL IN VALUATIONS
Differential General Rate									
GRV Town sites Improved	0.07831840	34	364,504	28,547	0.8%	1.2%	8,956	45.7%	114,349
GRV Town sites Improved / Vacant	0.07831840	0	0	0	0.0%	0.0%	0	0.0%	0
GRV Mining Infrastructure	0.29750000	6	1,343,750	399,766	29.9%	17.1%	(332,382)	0.0%	(1,117,250)
UV Pastoral / Rural	0.06907870	22	935,102	64,596	2.4%	2.8%	5,484	9.3%	79,381
UV Mining / Mining Tenements	0.32000000	134	4,785,663	1,531,412	57.0%	65.5%	137,387	9.9%	429,333
UV Exploration and Prospecting	0.19882530	207	1,336,168	265,664	6.8%	11.4%	100,105	60.5%	503,484
Sub-Totals		403	8,765,187	2,289,985					
Minimum Payment	Minimum \$								
GRV Town sites Improved	290	3	6,212	870	0.1%	0.0%	(580)	-40.0%	(14,247)
GRV Town sites Improved / Vacant	290	11	1,580	3,190	0.1%	0.1%	290	10.0%	340
UV Pastoral / Rural	290	8	11,402	2,320	0.1%	0.1%	(1,160)	-33.3%	(5,274)
UV Mining / Mining Tenements	290	25	16,913	7,250	0.5%	0.3%	(4,350)	-37.5%	(14,632)
UV Exploration and Prospecting	290	103	81,029	29,870	1.0%	1.3%	4,350	17.0%	14,761
Sub-Totals		150	117,136	43,500					
Discounts		553	8,882,323	0					
Total Amount Raised from General Rate				2,333,485			(24,989)		
Interim Rating				5,000					
Specified Area Rates				0					
Total Rates				2,338,485	98.8%	99.8%	-106,890	-4.4%	-9,755

SHORTFALL COMPARED TO PREVIOUS YEAR (106,890)

The advertised time has concluded and no public submissions were received. It is therefore recommended that Council impose the proposed rates and minimums without modification.

Administration would like to note that the proposed rates in the dollar are not proposed to change and are the same as the 2020/21 and 2021/22 financial years. While there was a valuation decrease for the mining GRV category the Shire saw an increase in other UV mining valuations.

Covid and cost pressures on ratepayers have been a major consideration in not increasing the rate in the dollar from the previous year.

Previously considered Efficiency Measures

- Continued Review of Remuneration and Vacant Positions
- Implementation of solar on Council Facilities – Previously capped by Horizon Network
- Disposal of under utilised plant
- Invest in properties and Lease to State Government Agencies
- Increase monitoring and application to available grants
- Economic development initiatives to promote training and investment in diverse businesses

Previously considered Service Improvements

- Resourcing is required for Audit Improvements
- Renewal of aging Shire/Public Facilities
- Sealing and mitigation work for gravel network that is severely impacted by Flood Events
- Renewal for Increased Extraordinary use of Shire Roads by commodity and heavy vehicle traffic
- Reduced climate impact from operations

Voting Requirements

Simple Majority

OFFICERS RECOMMENDATION

That Council:

1. Acknowledge that no public submissions were received for the differential rates and minimums proposed by the Shire of Yalgoo for 2022/23; and
2. Resolve to make an application to the Minister for Local Government for the following differential rates and minimum payments for the 2022/23 financial year.

Differential General Rate	Rate in the \$
GRV – Townsite Improved	0.07831840
GRV – Townsite Vacant	0.07831840
GRV – Mining Infrastructure	0.29750000
UV – Pastoral / Rural	0.06907870
UV – Mining / Mining Tenement	0.32000000
UV – Exploration / Prospecting	0.19882530

Minimum Payment	Minimum \$
GRV – Townsite Improved	290
GRV – Townsite Vacant	290
UV – Pastoral / Rural	290
UV – Mining / Mining Tenement	290
UV – Exploration / Prospecting	290



SHIRE OF YALGOO

RATING METHODOLOGY
AND ITS
DIFFERENTIAL RATING MODEL

FOR
2022 - 2023



BASIS OF LOCAL GOVERNMENT RATES IN WESTERN AUSTRALIA

Local Government rating is regulated through Sections 6.28 to 6.82 of the local Government Act 1995 (the Act). All land within the local government district is rateable land with the exceptions, as specified in Section 6.28 of the Act.

The basis of the local government rates is the improved value (UV) for land used predominately for rural purposes, and gross rental value (GRV) for land used predominately for non – rural purposes. Local governments set a rate in the dollar in order to achieve rating equity, and to raise the revenue required to meet their projected shortfalls.

Local Governments can use differential rating; minimum payments, specified area rates, service charge, discounts and concessions to adjust the rates burden. Local government rates are a property tax based on land or rental value and broadly reflect “the ability to pay”. The rates imposed are not a fee for service.

LAND VALUATIONS IN WESTERN AUSTRALIA

The main legislation for the valuation of land relevant to this review is as follows:

- The Valuation of Land Act 1978: and
- The Local Government Act 1995.

THE VALUATION OF LAND ACT 1978

The valuation of land tax 1978 provides for the valuation of land in Western Australia.

The Valuer General’s Guide to Rating and Taxing Values describes the Valuer General’s role in providing valuations used by rating and taxing authorities, in accordance with the provisions of the Valuation of Land Act 1978 (the VLA). The VLA empowers the valuer General to conduct general valuations based on Unimproved Values (UV) and Gross Rental Value (GRV)

[Unimproved Land Values \(UV’s\)](#)

A new UV is determined each year for all land within the state, and comes into force on 30th June. UV is defined in the Valuation of Land Act 1978, and in some cases it is a statutory formula. As a broad guide the following applies:

- Within a Townsite

For land situated within a townsite the UV is the site value of the land. In general, this means the value of the land as if it were vacant with no improvements except merged improvements. Merged improvements relate to improvements such as clearing draining and tilling.

- Outside a Townsite

The UV of land outside a townsite is valued as if it had no improvements. In this case, the land is valued as though it remains original, natural state, although any land degradation is taken into account.

If the UV cannot reasonably be determined on this basis, it is calculated as a percentage of the value of the land as if it has been developed to a fair district standard, but not including buildings. This percentage is described (where it applies) by Valuer General from year to year.

- Exceptions

There are certain exceptions to the above for which the Valuation of Land Act 1978 provides statutory valuation calculations for UV based on formula, for example a fixed rate per hectare, or a multiple of the annual rent

These exceptions include: mining tenements, leases under the Land Administration Act 1997 for the purpose of grazing, leases under agreement acts, and land held under the Conservation and Land Management Act 1984.

- UV Valuation Methodology

Market based UV's are determined by reference to the land market at the date of valuation. All sales relevant to the predetermined date of valuation are investigated and where considered necessary, the parties interviewed.

Unsuitable sales, for example between related parties, or those with special circumstances, are discarded. By this process fair and reasonable criterion is established for the fixing of values.

Gross Rental Values (GRV's)

The primary definition of GRV under the Valuation of Land Act 1978 is as follows:

- GRV

Means the gross annual rental that the land might reasonably be expected to realise if let on a tenancy from year to year, upon condition that the landlord is liable for all rates, taxes and other charges thereon, and the insurance and other outgoings necessary to maintain the value of the land.

A GRV is determined on the basis that the rental includes outgoings such as rates and other property expenses.

As most commercial rentals are negotiated net of outgoings, these need to be added to the net rental to equate to the statutory definition.

The introduction of the goods and services tax (GST) has impacted on the determination of GRV. Where property rental payments are subject to GST, they represent a tax payable by the property owner, and as such must be included in the Gross Rental Value.

Where an annual rental cannot reasonably be determined, then the GRV shall be the assessed value. Assessed value is defined in the Valuation of Land Act 1978 as set percentage of capital value, currently fixed by regulation at 5%.

For example, vacant rental land for which no rental value can be determined is currently valued on the basis of 5% of its total capital value. Capital Value is defined as the capital amount from which an estate of fee simple, in the land might reasonably be expected to realise upon sale, provided that where the capital value of land cannot be reasonably determined on such basis, the capital value of such land shall be the sum of first, the unimproved value of the land and secondly the estimated replacement cost of improvements to the land.

Land used for residential purpose only must be valued on the basis of rental value. Any other land with a relatively low rental value in comparison to its capital value may be valued as if it were vacant land.

-GRV Valuation Methodology

A data base of rental evidence is assembled from information obtained from property managers a, owners, and other sources.

A schedule of properties rented at the date of valuation is prepared for the area to be valued.

The rented properties are inspected the rent analysed (for example deductions for furniture include in the letting)

Unsuitable lettings, such as those between related parties, are discarded so that the final list is acceptable as the basis for the determination of fair gross rentals, as illustrated by actual market dealings.

From the analysis of actual rentals, the fair gross rental of each property is established, after making allowances for any special features or detriments.

The GRV normally represents the annual equivalent of fair weekly rental. For instance a GRV of \$10,400 represents a weekly rental of \$200

LOCAL GOVERNMENT ACT 1995 – RATING PROVISIONS

The Local Government Act 1995 sets out the basis on which differential general rates may be based as follows:

Section 6.32 (1) of the Local Government Act 1995 states:

- (1) When adopting the annual budget, a local government —
 - (a) in order to make up the budget deficiency, is to impose a general rate on rateable land within its district, which rate may be imposed either —
 - (i) Uniformly; or
 - (ii) Differentially;

DIFFERENTIAL RATES

6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
 - (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*; or
 - (b) a purpose for which the land is held or used as determined by the local government; or
 - (c) whether or not the land is vacant land; or
 - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may —
 - (a) specify the characteristics under subsection (1) which a local government is to use; or
 - (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.
- (5) A differential general rate that a local government purported to impose under this Act before the *Local Government Amendment Act 2009* section 39(1)(a) came into operation is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.

MINIMUM RATES

6.35. Minimum payment

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or

- (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
 - (a) to land rated on gross rental value; and
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

DIFFERENTIAL RATING -WESTERN AUSTRALIA

Section 633 of the local Government Act 1995 allows local governments to impose differential general rates to shift the revenue raising effort to certain sectors of the community to maintain equity based on the level of services provided by Shire. Local Governments could rate the following land uses, or a combination of zoning/locality, and land use:

- Residential
- Commercial
- Industrial
- Rural
- Vacant land
- Other

Changing to differential land use rating would allow local governments to offer different rates in the dollar to the above groups.

DIFFERENTIAL RATING – SHIRE OF YALGOO

Rating Category Classifications

The shire currently uses a differential rating model based on the differential categories outlined in the table below.

RATING CATEGORY	TOWN PLANNING SCHEME ZONING/LAND USE
GRV-Town Improved	Residential zoning Commercial zoning Industrial zoning
GRV- Town Vacant Land	Industrial zoning Residential zoning Commercial zoning
GRV – Mining Infrastructure	Predominate use for mining purposes
UV - Pastoral/Rural	Predominate use for pastoral/rural purposes
UV – Mining / Mining Tenements	Predominate use for mining purposes
UV – Exploration and Prospecting	Predominate use for exploration and prospecting purposes

Differential Rating Categories Objects and Reasons

The shire has adopted the following objects and reasons for the differential rating categories:-

Gross Rental Value (GRV)

- Town Improved- consists of properties located within the townsite boundaries with a predominate residential, commercial and industrial use. This category is considered by council to be the base rate by which all other GRV properties are assessed and have a different demand and requirement on shire services and infrastructure.

Proposed rate in the dollar:	0.07831840 cents
Minimum rate:	\$290
Number rateable assessment 22/23:	37
Number rateable assessment 21/22:	36
Average rate per assessment 22/23:	\$795
Average rate per assessment 21/22:	\$584
Average valuation 22/23:	\$10,019
Average valuation 21/22:	\$7,517
Average percentage change in valuation:	33.28%

- Townsite Vacant – Consists of vacant properties located within the townsite boundaries that are vacant (no residential commercial or industrial structures built on the land) The rate in the dollar is the same as the Town Improved category however the minimum rate was resolved by Council its Ordinary Council Meeting held on the 26 June 2020 from \$620 to \$290 per annum

Proposed rate in the dollar:	0.07831840	cents
Minimum rate:		\$290
Number of rateable assessments 22/23:	11	
Number of rateable assessments 21/22:	10	
Average rate per assessment 22/23:		\$290
Average rate per assessment 21/22:		\$290
Average valuation 22/23:		\$144
Average valuation 21/22:		\$124
Average percentage change in valuation		16.13%

- Mining Infrastructure – Consists of particular improvements such as accommodation, recreation and administrative facilities, associates buildings and maintenance workshops that are erected permanently. The object of the GRV rates associated with mining is to ensure that mining operators contribute to the maintenance of the Shire’s assets and services to the extent that they use them and form a sector of ratepayers that essentially are transitory.

Proposed rate in the dollar:	0.29750000	cents
Minimum rate:		\$0
Number of rateable assessments 22/23:	6	
Number of rateable assessments 21/22:	6	
Average rate per assessment 22/23:		\$66,628
Average rate per assessment 21/22:		\$122,025
Average valuation 22/23:		\$223,958
Average valuation 21/22:		\$410,167
Average percentage change in valuation		-45.40%

Unimproved Value (UV)

- Pastoral/Rural- this rating applies to all pastoral leases and land with a predominate rural land use. The proposed rate is comparatively lower when compared to the mining/mining tenement and exploration / prospecting categories on the basis that the pastoral industry has minimum impact or requirement on the shire services and infrastructure.

Proposed rate in the dollar:	0.06907870 cents
Minimum rate:	\$290
Number of rateable assessments 22/23:	30
Number of rateable assessments 21/22:	33
Average rate per assessment 22/23:	\$2,231
Average rate per assessment 21/22:	\$1,897
Average valuation 22/23:	\$31,550
Average valuation 21/22:	\$26,436
Average percentage change in valuation	19.34%

- Mining/ Mining Tenement- this category applies to all mining leases located within the shire. The proposed rate is comparatively higher when compared to the pastoral/rural category on the basis that mining operations require additional ongoing maintenance of the roads network that services this land use along with additional costs associated with the administration of mining tenements.

Proposed rate in the dollar:	0.32000000 cents
Minimum rate:	\$290
Number of rateable assessments 22/23:	159
Number of rateable assessments 21/22:	159
Average rate per assessment 22/23:	\$9,677
Average rate per assessment 21/22:	\$8,840
Average valuation 22/23:	\$30,205
Average valuation 21/22:	\$27,597
Average percentage change in valuation	9.45%

- Exploration / Prospecting – This rating category applies to exploration, prospecting and other general purpose leases located within the shire. The proposed rate is comparatively higher when compared to the pastoral/rural category and lower than the mining tenement category on the basis that the mining operations require additional and ongoing maintenance of the road network that services the land use, the additional cost associated with the administration of exploration and prospecting leases and the shire wishes to encourage exploration.

Proposed rate in the dollar:	0.19882530	cents
Minimum rate:		\$290
Number of rateable assessments 22/23:		310
Number of rateable assessments 21/22:		281
Average rate per assessment 22/23:		\$953
Average rate per assessment 21/22:		\$680
Average valuation 22/23:		\$4,572
Average valuation 21/22:		\$3,199
Average percentage change in valuation:		42.92 %

9 NEXT MEETING

The next Ordinary Meeting of Council is due to be held in Paynes Find on Friday 26th August 2022 commencing at 11am.

10 MEETING CLOSURE

There being no further business the Shire President declared the meeting closed at _____.

PUBLIC QUESTION TIME - FOR INFORMATION PURPOSES ONLY

The Shire of Yalgoo welcomes community participation during public question time of Council Meetings. The following is a summary of s5.24 of the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and Shire Policy, to provide a guide for public question time.

To enable a prompt and detailed response to questions, members of the public are requested to lodge questions in writing to the Chief Executive Officer at least two days prior to a Council meeting. This can be done:

- a. In person at the Shire of Yalgoo Office, 37 Gibbons St, Yalgoo
- b. By emailing the Executive Support Officer pa@yalgoo.wa.gov.au
- c. By phoning the Executive Support Officer (08) 9962 8042

When registering a question members of the public will be required to provide the following for record keeping and response:

- a. Name, Address, Contact Number and Name of Organisation representing (if any)
- b. A written copy of the question to be asked at Public Question Time

It is recommended to arrive at the Council Meeting 15 minutes to commencement if you have not registered a question in advance.

The presiding Member will open Public Question Time where appropriate and, if necessary, provide a brief summary of the rules, regulations and procedures of Public Question Time.

1. The person asking the question is to state their name prior to asking the question.
2. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
3. In order to provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating of the issue between the Gallery, Councillors or Officers is permissible.
4. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
5. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes.

6. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order' and the question will not be recorded in the minutes.
7. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being totally comprehensive.
8. The priority for asking questions shall be firstly 'questions on which written notice has been given prior to the meeting' (that is, prior to 12 noon on the day immediately preceding the meeting) and secondly, 'questions from the floor'.
9. Public Question Time is set for a maximum period of 15 minutes, and will terminate earlier should no questions be forthcoming.
10. There are circumstances where it may be necessary to place limits on the asking of questions to enable all members of the public a fair and equitable opportunity to participate in Public Question Time. In these events the Presiding Member will apply the most appropriate limit for the circumstance. Generally each member of the public shall be provided a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor'). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
11. Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (in accordance with the register) ask further questions (with necessary limits in place as discussed above if required) until the initial period for Public Question Time has expired.
12. Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.
13. Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
14. Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).

MATTERS FOR WHICH THE MEETING MAY BE CLOSED- FOR INFORMATION PURPOSES ONLY

Councillors are obliged to maintain the confidentiality of matters discussed when the meeting is closed.

The following legislative extracts were downloaded from www.legislation.wa.gov.au on 7 July 2021.

Local Government Act 1995

s5.23. Meetings generally open to the public

- (1) Subject to subsection (2), the following are to be open to members of the public —
 - (a) all council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
 - (a) a matter affecting an employee or employees; and
 - (b) the personal affairs of any person; and
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
 - (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,
where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) a matter that if disclosed, could be reasonably expected to —

- (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- and
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

s5.92 Access to information by council, committee members

- (1) A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.
- (2) Without limiting subsection (1), a council member can have access to —
 - (a) all written contracts entered into by the local government; and
 - (b) all documents relating to written contracts proposed to be entered into by the local government.

s5.93. Improper use of information

A person who is a council member, a committee member or an employee must not make improper use of any information acquired in the performance by the person of any of his or her functions under this Act or any other written law —

- (a) to gain directly or indirectly an advantage for the person or any other person; or
- (b) to cause detriment to the local government or any other person. Penalty: \$10 000 or imprisonment for 2 years.

Local Government (Model Code of Conduct) Regulations

2021 s.21 Disclosure of Information

(1) In this clause —

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

document includes a part of a document;

non-confidential document means a document that is not a confidential document.

(2) A council member must not disclose information that the council member —

(a) derived from a confidential document; or

(b) acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subclause (2) does not prevent a council member from disclosing information —

(a) at a closed meeting; or

(b) to the extent specified by the council and subject to such other conditions as the council determines; or

(c) that is already in the public domain; or

(d) to an officer of the Department; or

(e) to the Minister; or

(f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

ATTENDANCE - FOR INFORMATION PURPOSES ONLY

Local Government Act 1995

S2.25 Disqualification for failure to attend meetings

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
 - (a) a meeting that has concluded; or
 - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.
- (5A) If a council holds 3 or more ordinary meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.
- (5) The non attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —
 - (a) if no meeting of the council at which a quorum is present is actually held on that day; or
 - (b) if the non attendance occurs —
 - (i) while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iiia) while the member is suspended under section 5.117(1)(a)(iv) or Part 8; or
 - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
- (6) A member who before the commencement of the Local Government Amendment Act 2009 section 5 was granted leave during an ordinary meeting of the council from which

the member was absent is to be taken to have first obtained leave for the remainder of that meeting.

Urgent Business

General business will not be admitted to Council. In cases of urgency or other special circumstances, where a matter cannot or should not be deferred until the next meeting, urgent items may, with the consent of a majority of Elected Members present, be heard and dealt with. Any such business shall be in the form of a clear motion, and the President may require such a motion to be written and signed by the Councillor or officer proposing the motion or recommendation.

Deputations

Persons wishing to appear before Council or a Committee as a deputation should apply to the CEO at least one week before the date of the meeting, specifying the purpose of the deputation and the number of persons in the deputation. Deputations may be permitted at the discretion of the Presiding Member or by a resolution of the Council or Committee (as the case may not be). Not more than two members of a deputation may address the Council or Committee, except to answer questions from members of the Council or Committee.